

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

DATATREASURY CORPORATION

*PLAINTIFF*

v.

CITY NATIONAL BANK CORPORATION  
AND CITY NATIONAL BANK

*DEFENDANTS*

§  
§  
§  
§  
§  
§

CIVIL ACTION No. 2:06CV165

---

---

**PLAINTIFF DATATREASURY CORPORATION'S  
UNOPPOSED MOTION FOR EXTENSION OF TIME**

---

---

Plaintiff DataTreasury Corporation hereby moves the Court to extend Plaintiff's time to respond to Defendants' Motion (1) to Dismiss for Lack of Proper Venue; (2) to Dismiss for Failure to State a Claim; or, in the Alternative, (3) for More Definite Statement. Defendants City National Corporation and City National Bank have agreed to allow Plaintiff DataTreasury Corporation an extension of time in which to respond to Defendants' Motion (1) to Dismiss for Lack of Proper Venue; (2) to Dismiss for Failure to State a Claim; or, in the Alternative, (3) for More Definite Statement extending the deadline from June 16, 2006 until June 23, 2006.

WHEREFORE, Plaintiff DataTreasury Corporation prays that the Court grant this Motion for Extension, and enter an Order allowing Plaintiff until June 23, 2006 to respond to Defendants' Motion (1) to Dismiss for Lack of Proper Venue; (2) to Dismiss for Failure to State a Claim; or, in the Alternative, (3) for More Definite Statement. A proposed Order is attached as Exhibit A.

DATED: June 14, 2006.

Respectfully submitted,



EDWARD L. HOHN  
Texas Bar No. 09813240  
[edhohn@nixlawfirm.com](mailto:edhohn@nixlawfirm.com)

D. NEIL SMITH  
Texas Bar No. 00797450  
[dsmith@nixlawfirm.com](mailto:dsmith@nixlawfirm.com)

**NIX, PATTERSON & ROACH, LLP**  
205 Linda Drive  
Daingerfield, Texas 75638  
Telephone: 903.645.7333  
Facsimile: 903.645.4415

C. CARY PATTERSON  
Texas Bar No. 15587000  
ANTHONY K. BRUSTER  
Texas Bar No. 24036280  
[akbruster@nixlawfirm.com](mailto:akbruster@nixlawfirm.com)

BRADY PADDOCK  
Texas Bar No. 00791394  
[bpaddock@nixlawfirm.com](mailto:bpaddock@nixlawfirm.com)

R. BENJAMIN KING  
Texas Bar No. 24048592  
[benking@nixlawfirm.com](mailto:benking@nixlawfirm.com)

**NIX, PATTERSON & ROACH, LLP**  
2900 St. Michael Drive, Suite 500  
Texarkana, Texas 75503  
Telephone: 903.223.3999  
Facsimile: 903.223.8520

JOE KENDALL  
Texas Bar No. 11260700  
[jkendall@provostumphrey.com](mailto:jkendall@provostumphrey.com)

KARL RUPP  
Texas Bar No. 24035243  
[krupp@provostumphrey.com](mailto:krupp@provostumphrey.com)

**PROVOST UMPHREY, LLP**  
3232 McKinney Avenue, Suite 700  
Dallas, Texas 75204  
Telephone: 214.774.3000  
Facsimile: 214.744.3015

ROD COOPER

Texas Bar No. 90001628

[rcoper@cooperiplaw.com](mailto:rcoper@cooperiplaw.com)

**THE COOPER LAW FIRM**

545 E. John Carpenter Fwy., Suite 1460

Irving, Texas 75062

Telephone: 972.831.1188

Facsimile: 972.692.5445

ERIC M. ALBRITTON

Texas Bar No. 00790215

[ema@emafirm.com](mailto:ema@emafirm.com)

**ALBRITTON LAW FIRM**

P. O. Box 2649

Longview, Texas 75606

Telephone: 903.757.8449

Facsimile: 903.758.7397

T. JOHN WARD, JR.

Texas Bar No. 00794818

[jw@jwfirm.com](mailto:jw@jwfirm.com)

**LAW OFFICES OF T. JOHN WARD, JR. PC**

P. O. Box 1231

Longview, Texas 75606


Telephone: 903.757.6400

Facsimile: 903.757-2323

**ATTORNEYS FOR PLAINTIFF  
DATATREASURY CORPORATION**

**CERTIFICATE OF CONFERENCE**

I hereby certify that Plaintiff has conferred with Defendant's counsel regarding the above Motion for Extension, and they indicated that they do not oppose the filing of such Motion and the extension requested in such Motion.

A handwritten signature in black ink, appearing to read "Anthony K. Bruster", is written over a horizontal line.

ANTHONY K. BRUSTER

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on the 14<sup>th</sup> day of June, 2006 via electronic transmission.

IRELL & MANELLA, LLP

David I. Gindler

[dgindler@irell.com](mailto:dgindler@irell.com)

Morgan Chu

[mchu@irell.com](mailto:mchu@irell.com)

Rachel Capoccia

[rcapoccia@irell.com](mailto:rcapoccia@irell.com)

Andrew D. Weiss

[aweiss@irell.com](mailto:aweiss@irell.com)


Elizabeth L. Rosenblatt

[brosenblatt@irell.com](mailto:brosenblatt@irell.com)

BROWN MCCARROLL, LLP

S. Calvin Capshaw

[ccapshaw@mailbmc.com](mailto:ccapshaw@mailbmc.com)

A handwritten signature in black ink, appearing to read "Anthony K. Bruster", is written over a horizontal line.

ANTHONY K. BRUSTER